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COMMISSION ON TRANSNATIONAL CORPORATIONS
Twelfth session
9-18 April 1986
Item 2 of the provisional agenda

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

Provisional agenda

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2. Adoption of the agenda and organization of work.

3. Recent developments related to transnational corporations and international economic relations.

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   (a) Code of conduct on transnational corporations;

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6. Transnational corporations in South Africa and Namibia:

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   (b) Public hearings on the activities of transnational corporations in South Africa and Namibia;

   (c) Responsibilities of home countries with respect to the transnational corporations operating in South Africa and Namibia in violation of the relevant resolutions and decisions of the United Nations.

7. Strengthening the negotiating capacity of developing countries in their dealings with transnational corporations:

   (a) Programme of technical co-operation of the United Nations Centre on Transnational Corporations;

   (b) Experience gained in technical co-operation activities related to negotiations between developing countries and transnational corporations.

8. Ongoing and future research.

9. Comprehensive information system.

10. International standards of accounting and reporting.

11. Transnational corporations and issues relating to the environment.

12. Role of transnational corporations in transborder data flows.

13. Work related to the definition of transnational corporations.

14. Question of expert advisers.

15. Provisional agenda for the thirteenth session of the Commission.

16. Adoption of the report of the Commission.

Annotations

1. Election of officers

The proceedings of the Commission on Transnational Corporations are governed, mutatis mutandis, by the rules of procedure of the Economic and Social Council. Rule 18 thereof provides that the Bureau shall consist of five officers. The Commission may wish to follow the practice adopted at its previous sessions and elect a Chairman, three Vice-Chairmen and a Rapporteur.

2. Adoption of the agenda and organization of work

The provisional agenda and documentation for the twelfth session of the Commission were approved by the Commission at its eleventh session 1/ and by the Economic and Social Council in its decision 1985/192.

The attention of the Commission is drawn to Economic and Social Council decision 1984/104 on the review of the cycle of meetings of subsidiary bodies of the Economic and Social Council, by which the Council decided, pursuant to General Assembly decision 38/429 and Council resolution 1768 (LIV), to request its subsidiary bodies that currently meet on an annual basis to consider adopting, on an experimental basis, a biennial cycle of meetings, and to report thereon to the Council in 1984. At its eleventh session, the Commission decided that it would postpone its consideration of the question until its twelfth session. 2/

3. Recent developments related to transnational corporations and international economic relations

At its eleventh session, the Commission decided to request the United Nations Centre on Transnational Corporations to prepare for the twelfth session of the Commission relevant material for the agenda item entitled "Recent developments related to transnational corporations and international economic relations", taking into account the views expressed by representatives at that session. 3/ The Commission will have before it a report on recent developments, and a report on data on foreign direct investment, including capital inflows and outflows, and on other aspects of the activities of transnational corporations, containing suggestions for further action.

Documentation

Report of the Secretary-General on recent developments related to transnational corporations and international economic relations (E/C.10/1986/2)

Report of the Secretary-General on data on foreign direct investment, including capital inflows and outflows, on other aspects of the activities of transnational corporations, and containing suggestions for further action (E/C.10/1986/3)

4. Activities of the United Nations Centre on Transnational Corporations

The Commission will have before it a report of the Secretary-General on the activities of the United Nations Centre on Transnational Corporations since the eleventh session of the Commission, including the activities of the joint units established with each of the regional commissions. In addition, the Commission will have before it a report on the Centre's utilization of resources by programme element during the biennium 1984-1985.

Documentation

Report of the Secretary-General on the activities of the United Nations Centre on Transnational Corporations and the activities of the joint units with the regional commissions (E/C.10/1986/4)

Report of the Secretary-General on the utilization of resources among the programme elements of the United Nations Centre on Transnational Corporations for the biennium 1984-1985 (E/C.10/1986/5)

5. Work related to the code of conduct on transnational corporations and other international arrangements and agreements

(a) Code of conduct on transnational corporations

At its thirty-ninth session, the General Assembly, after considering the report of the Economic and Social Council, decided to reconvene the special session of the Commission on Transnational Corporations for one week in June 1985 to examine the study prepared by the United Nations Centre on Transnational Corporations on the outstanding issues in the draft code of conduct

on transnational corporations (E/C.10/1985/S/2) and, in the light of that examination and the results of the consultations conducted by the Chairman of the Commission, to prepare a report including suggestions regarding the most appropriate steps to be taken to complete the code of conduct (decision 39/443).

The reconvened special session was held from 17 to 21 June 1985. At that session, the Commission on Transnational Corporations heard an oral report by the Chairman on the consultations that had taken place on the outstanding issues in the draft code of conduct (see E/1985/109). It submitted, for consideration by the Economic and Social Council at its second regular session of 1985 and to the General Assembly at its fortieth session, the following suggestions: (a) to reconvene the special session of the Commission for two weeks in January 1986, in order to reach agreement on a final, overall solution to the outstanding issues and to complete the code of conduct; and (b) to request the Secretary-General to review and revise his report on the oustanding issues in the draft code (E/C.10/1985/S/2). At its second regular session of 1985, the Economic and Social Council decided to reconvene the special session of the Commission from 20 to 31 January 1986 (decision 1985/193).

Documentation

Report of the Secretary-General on the code of conduct on transnational corporations (E/C.10/1986/6)

(b) Other international, regional and bilateral arrangements and agreements related to transnational corporations

The Commission will have before it a report on other international arrangements and agreements related to transnational corporations.

Documentation

Report of the Secretary-General on bilateral arrangements and agreements related to transnational corporations (E/C.10/1986/7)

6. Transnational corporations in South Africa and Namibia

(a) Activities of transnational corporations in South Africa and Namibia and collaboration of such corporations with the racist minority régime in that area

At its second regular session of 1985, the Economic and Social Council requested the Secretary-General to prepare an updated report on the activities of transnational corporations in South Africa and Namibia, including more detailed information on the profiles of transnational corporations operating in South Africa and Namibia, for submission to the Commission at its twelfth session (resolution 1985/72).

Documentation

Report of the Secretary-General on the activities of transnational corporations in South Africa and Namibia and the collaboration of such corporations with the racist minority régime in that area (E/C.10/1986/8)

(b) Public hearings on the activities of transnational corporations in South Africa and Namibia

At its resumed second regular session of 1981, the Economic and Social Council requested the Secretary-General to make arrangements for the organization of public hearings on the activities of transnational corporations in South Africa and Namibia (resolution 1981/86).

At its first regular session of 1985, the Economic and Social Council decided (a) to approve the recommendations contained in the report of the Ad Hoc Committee on the Preparations for the Public Hearings on the Activities of Transnational Corporations in South Africa and Namibia (E/C.10/1985/8) and the publicity programme described in the report of the Secretary-General (E/C.10/1985/18 and Corr.1); and (b) to invite all Member States to co-operate with the United Nations with a view to ensuring the successful holding of fair, balanced and objective hearings aimed at the eradication of the system of apartheid (decision 1985/127).

The public hearings were held in New York from 16 to 20 September 1985 by an 11-member Panel of eminent international personalities, chosen on the basis of their integrity and competence. The Chairman of the Commission on Transnational Corporations participated in the selection of the members of the Panel, who were then appointed by the Secretary-General. The Panel reconvened for a two-day post-session series of meetings on 10 and 11 October 1985, at which it unanimously adopted its report and recommendations.

At its fortieth session, the General Assembly took note of the report of the Panel, and further noted that the Commission at its twelfth session and the Economic and Social Council in 1986 would give in-depth consideration to the recommendations contained in the report and propose appropriate action (decision 40/433).

Documentation

Note by the Secretary-General on the public hearings on the activities of transnational corporations in South Africa and Namibia (E/C.10/1986/9)

(c) Responsibilities of home countries with respect to the transnational corporations operating in South Africa and Namibia in violation of the relevant resolutions and decisions of the United Nations

At its second regular session of 1985, the Economic and Social Council requested the Secretary-General to bring up to date for the twelfth session of the Commission the report on the responsibilities of home countries with respect to the transnational corporations operating in South Africa and Namibia in violation of the relevant resolutions and decisions of the United Nations (resolution 1985/72).

Documentation

Report of the Secretary-General on the responsibilities of home countries with respect to the transnational corporations operating in South Africa and Namibia in violation of the relevant resolutions and decisions of the United Nations (E/C.10/1986/10)

7. Strengthening the negotiating capacity of developing countries in their dealings with transnational corporations

(a) Programme of technical co-operation of the United Nations Centre on Transnational Corporations

At its eleventh session, the Commission reaffirmed the importance that it attached to the Centre's technical co-operation programme, which responded to an important need of developing countries, particularly the least developed countries. The Centre was requested to prepare a report on its programme of technical co-operation, including the evaluation of selected projects, for the twelfth session of the Commission. 4/

Documentation

Report of the Secretary-General on the activities of the United Nations Centre on Transnational Corporations and the activities of the joint units with the regional commissions (E/C.10/1986/4)

(b) Experience gained in technical co-operation activities related to negotiations between developing countries and transnational corporations

The Commission will have before it a report on the experience gained in technical co-operation activities related to negotiations between developing countries and transnational corporations.

Documentation

Report of the Secretary-General on the experience gained in technical co-operation (E/C.10/1986/11)

8. Ongoing and future research

At its eleventh session, the Commission requested the United Nations Centre on Transnational Corporations, in implementing its research programme, to take into account the views expressed by representatives at that session. 5/ The Commission will have before it a report summarizing some research activities undertaken by the Centre since the eleventh session.

Documentation

Report of the Secretary-General on the activities of the United Nations Centre on Transnational Corporations and the activities of the joint units with the regional commissions (E/C.10/1986/4)

Report of the Secretary-General on ongoing and future research (E/C.10/1986/12)

9. Comprehensive information system

At its eleventh session, the Commission requested the Centre to report to it at its twelfth session on its comprehensive information system, taking into account the views expressed by representatives at that session. 6/

Documentation

Report of the Secretary-General on the management of information on transnational corporations (E/C.10/1986/13)

10. International standards of accounting and reporting

At its resumed second regular session of 1982, the Economic and Social Council decided to establish an Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting (resolution 1982/67).

At its eleventh session, the Commission took note with appreciation of the report of the Group on its third session (E/C.10/1985/12 and Corr.1), which was held from 11 to 22 March 1985. It also agreed that it would, after three years, review the mandate, terms of reference and achievements of the Group, including the advisability of its continuation. 7/

At its second regular session of 1985, the Economic and Social Council decided that the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting should continue to meet on the basis of its existing mandate (resolution 1985/71).

Documentation

Report of the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting on its fourth session (E/C.10/1986/14)

11. Transnational corporations and issues relating to the environment

The Commission will have before it a report on transnational corporations and issues relating to the environment.

Documentation

Report of the Secretary-General on transnational corporations and issues relating to the environment (E/C.10/1986/15)

12. Role of transnational corporations in transborder data flows

At its eleventh session, the Commission agreed that work in the area of the role of transnational corporations in transborder data flows should continue along the same lines as in the past, taking into account the views expressed by representatives at that session. 8/

Documentation

Report of the Secretary-General on transborder data flows (E/C.10/1986/16)

13. Work related to the definition of transnational corporations

The Commission will have before it a report on the question of the definition of transnational corporations.

Documentation

Report of the Secretary-General on the question of the definition of transnational corporations (E/C.10/1986/17)

14. Question of expert advisers

The Commission will have before it a note on the question of expert advisers.

Documentation

Note by the Secretary-General on the question of expert advisers (E/C.10/1986/18)

15. Provisional agenda for the thirteenth session of the Commission

In accordance with the provisions of paragraph 3 of Economic and Social Council resolution 1984 (LVII), the Commission will have before it a draft provisional agenda for its thirteenth session, together with a list of the documents to be submitted under each agenda item and the legislative authority for their preparation.

At its first regular session of 1979, the Economic and Social Council decided that the provisional agenda for its subsidiary bodies, together with the list of requested documentation, should be submitted to the Council for its review in order, inter alia, to establish greater consistency between the documentation of those bodies and the overall documentation requested by the Council and other subsidiary bodies and greater consistency between the requests for documentation and the medium-term plan and the programme budget (resolution 1979/41).

At its second regular session of 1981, the Economic and Social Council further instructed its subsidiary bodies to take urgent measures to streamline their agenda and programmes of work and to bring about a substantial reduction in their requests for documents, bearing in mind the duration and the cycles of their meetings, and to report to the Council on measures adopted, taking strictly into account the guidelines set forth in the pertinent resolutions and decisions of the Council and the General Assembly; and requested the Secretary-General to bring to the attention of intergovernmental and expert bodies, before decisions are adopted, any request for documentation that would exceed the ability of the Secretariat to prepare and process on time and within its approved resources (resolution 1981/83).

Documentation

Note by the Secretary-General containing a draft provisional agenda for the thirteenth session of the Commission

16. Adoption of the report of the Commission

The Commission will adopt its report to the Economic and Social Council.

Notes

1/ Official Records of the Economic and Social Council, 1985, Supplement No. 8 (E/1985/28), para. 134.

2/ Ibid., para. 155.

3/ Ibid., para. 15.

4/ Ibid., para. 126.

5/ Ibid., para. 85.

6/ Ibid., para. 96 (b).

7/ Ibid., para. 102.

8/ Ibid., para. 113 (b).

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ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

Provisional agenda

Corrigendum

Item 9

The documentation for item 9 should be as follows:

Documentation

Report of the Secretary-General on the activities of the United Nations Centre on Transnational Corporations and the activities of the joint units with the regional commissions (E/C.10/1986/4)

Report of the Secretary-General on the management of information on transnational corporations (E/C.10/1986/13)

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